



STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

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\*LIMITED TO MATTERS  
AND PROCEEDINGS BEFORE  
FEDERAL COURTS & AGENCIES  
\*\*REGISTERED PATENT AGENT  
\*\*\*SENIOR COUNSEL

May 23, 2001

WRITER'S DIRECT NUMBER:  
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INTERNET ADDRESS:  
AFASULO@SKGF.COM

Commissioner of Patents  
Washington, D.C. 20231

Box Missing Parts

Re: U.S. Utility Patent Application  
Appl. No. 09/742,295; Filed: December 22, 2000  
For: Photonic Signal Frequency Up and Down-Conversion Using a  
Photonic Band Gap Structure  
Inventors: Scalora *et al.*  
Our Ref: 1659.0650001/MVM/AJF

Sir:

In reply to the "Notice to File Missing Parts of Application--Filing Date Granted," dated February 27, 2001, Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. Fee Transmittal Form PTO/SB/17 (*in duplicate*);
2. Petition for Extension of Time Under 37 C.F.R. §1.136(a)(1) (*in duplicate*);
3. Copy of the Notice to File Missing Parts;
4. Original Declaration for Patent Application executed by inventors;

Commissioner for Patents

May 23, 2001

Page 2

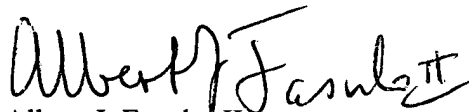
5. Our **Check No. 31377** in the amount of **\$1,156.00** to cover:  
\$710.00 Filing Fee for patent application (37 C.F.R. §1.16);  
\$206.00 Excess claims fee (37 C.F.R. §1.16);  
\$130.00 Surcharge for late filing of Declaration (37 C.F.R. §1.16);  
\$110.00 Petition for Extension of Time (37 C.F.R. §1.136(a)(1)); and
6. One Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,


STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.




Albert J. Fasulo, II  
Attorney for Applicants  
Registration No. 43,607

Enclosures

DIF/AJF:vrh  
P:\USERS\AFASULO\1659\0650001\NTFMP-Reply  
SKGF Rev. 4/27/00

<div style="text-align: center;">  <h2 style="margin: 0;">FEE TRANSMITTAL</h2> <h3 style="margin: 0;">for FY 2001</h3> <p style="margin: 0;">Patent fees are subject to annual revision.</p> </div>	Complete if Known	
	Application Number	09/742,295
	Filing Date	December 22, 2000
	First Named Inventor	Michael Scalora
	Examiner Name	To be assigned
	Group Art Unit	3662
Attorney Docket No.		1659.0650001/MVMAJF
TOTAL AMOUNT OF PAYMENT		(\$ 1,156.00)

METHOD OF PAYMENT (check one)	FEE CALCULATION (continued)																																																																																																																																																																														
<p>1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:</p> <p>Deposit Account Number: 19-0036</p> <p>Deposit Account Name: Sterne, Kessler, Goldstein &amp; Fox P.L.L.C.</p> <p><input type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27</p> <p>2. <input checked="" type="checkbox"/> Payment Enclosed:</p> <p><input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input checked="" type="checkbox"/> Other*</p> <p><small>*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.</small></p>	<p>3. ADDITIONAL FEES</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Description</th> <th>Fee paid</th> </tr> </thead> <tbody> <tr><td></td><td></td><td>105</td><td>130</td><td>205 65 Surcharge - late filing fee or oath</td><td>130.00</td></tr> <tr><td></td><td></td><td>127</td><td>50</td><td>227 25 Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td></td><td></td><td>139</td><td>130</td><td>139 130 Non-English specification</td><td></td></tr> <tr><td></td><td></td><td>147</td><td>2,520</td><td>147 2,520 For filing a request for <i>ex parte</i> reexamination</td><td></td></tr> <tr><td></td><td></td><td>112</td><td>920*</td><td>112 920* Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td></td><td></td><td>113</td><td>1,840*</td><td>113 1,840* Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td></td><td></td><td>115</td><td>110</td><td>215 55 Extension for reply within first month</td><td>110.00</td></tr> <tr><td></td><td></td><td>116</td><td>390</td><td>216 195 Extension for reply within second month</td><td></td></tr> <tr><td></td><td></td><td>117</td><td>890</td><td>217 445 Extension for reply within third month</td><td></td></tr> <tr><td></td><td></td><td>118</td><td>1,390</td><td>218 695 Extension for reply within fourth month</td><td></td></tr> <tr><td></td><td></td><td>128</td><td>1,890</td><td>228 945 Extension for reply within fifth month</td><td></td></tr> <tr><td></td><td></td><td>119</td><td>310</td><td>219 155 Notice of Appeal</td><td></td></tr> <tr><td></td><td></td><td>120</td><td>310</td><td>220 155 Filing a brief in support of an appeal</td><td></td></tr> <tr><td></td><td></td><td>121</td><td>270</td><td>221 135 Request for oral hearing</td><td></td></tr> <tr><td></td><td></td><td>138</td><td>1,510</td><td>138 1,510 Petition to institute a public use proceeding</td><td></td></tr> <tr><td></td><td></td><td>140</td><td>110</td><td>240 55 Petition to revive - unavoidable</td><td></td></tr> <tr><td></td><td></td><td>141</td><td>1,240</td><td>241 620 Petition to revive - unintentional</td><td></td></tr> <tr><td></td><td></td><td>142</td><td>1,240</td><td>242 620 Utility issue fee (or reissue)</td><td></td></tr> <tr><td></td><td></td><td>143</td><td>440</td><td>243 220 Design issue fee</td><td></td></tr> <tr><td></td><td></td><td>144</td><td>600</td><td>244 300 Plant issue fee</td><td></td></tr> <tr><td></td><td></td><td>122</td><td>130</td><td>122 130 Petitions to the Commissioner</td><td></td></tr> <tr><td></td><td></td><td>123</td><td>130</td><td>123 130 Petitions related to provisional applications</td><td></td></tr> <tr><td></td><td></td><td>126</td><td>180</td><td>126 180 Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td></td><td></td><td>581</td><td>40</td><td>481 40 Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td></td><td></td><td>146</td><td>710</td><td>246 355 Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td></td><td></td><td>149</td><td>710</td><td>249 355 For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr> <tr><td></td><td></td><td>179</td><td>710</td><td>279 355 Request for Continued Examination (RCE)</td><td></td></tr> <tr><td></td><td></td><td>169</td><td>900</td><td>169 900 Request for expedited examination of a design application</td><td></td></tr> </tbody> </table> <p>Other fee (specify):</p> <p>Other fee (specify):</p> <p>*Reduced by Basic Filing Fee Paid</p>	Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee paid			105	130	205 65 Surcharge - 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SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Albert J. Fasulo, II	Registration No. (Attorney/Agent)	43,607
Signature		Telephone	202-371-2600
		Date	5/23/01

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

DUPLICATE



UNITED STATES PATENT AND TRADEMARK OFFICE

 COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
 www.uspto.gov

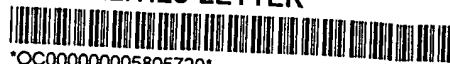

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/742,295	12/22/2000	Michael Scalora	1659.0650001

26111

 STERNE, KESSLER, GOLDSTEIN & FOX PLLC  
 1100 NEW YORK AVENUE, N.W., SUITE 600  
 WASHINGTON, DC 20005-3934

CONFIRMATION NO. 8153

FORMALITIES LETTER



\*OC000000005805720\*

Date Mailed: 02/27/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

02/24/2001 ABOITON 00000117 09742295

 01 70.00  
 02 10.00  
 03 10.00  
 04 10.00  
 05 10.00

 710.00 OP  
 130.00 OP  
 126.00 OP  
 80.00 OP

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$206.
  - \$126 for 7 total claims over 20.
  - \$80 for 1 independent claims over 3.
- The oath or declaration is missing.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1046.

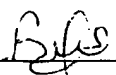
The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch); and a bottom margin of at least 1.0 cm. (3/8 inch);

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*A copy of this notice MUST be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE